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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,688	08/24/2001	Jeffrey D. Ollis	D2647	2555
43471	7590	08/08/2005	EXAMINER	
GENERAL INSTRUMENT CORPORATION DBA THE CONNECTED HOME SOLUTIONS BUSINESS OF MOTOROLA, INC. 101 TOURNAMENT DRIVE HORSHAM, PA 19044			KHUONG, LEE T	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/938,688

Applicant(s)

OLLIS, JEFFREY D.

Examiner

Lee Khuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,6-12 and 14-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6-12 and 14-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 11 is objected to because of the following informality: on line 10, the word --form-- seems to be a typo error. It is suggested the word --form-- to be changed to --from--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 11 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. On lines 10-11 of claim 1, lines 7-9 of claim 11 and lines 7-8 of claim 18, here is recited for applicant's convenience "wherein the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises media gateway control protocol". This limitation was added on the amendment filed on 8/1/2003.

It seems that the specification support the connection between the telephone and the dial server using the DTMF signal instead of the claimed MGCP. Also, it seems that the specification supports the MGCP is being used between the MTA gateway and the Call Agent.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, 4, 6-12 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al. (US 6,718,030), hereafter is referred as Turner in view of Brunson (US 6,738,462).

Regarding claim 1, Turner discloses a method for providing enhanced dial-up capabilities to a network connection, comprising the steps of: establishing an audio connection between a telephone (see Fig. 1, #16) and a centrally located dial server (see Fig. 1, #30, Directory Server); processing information conveyed by the audio connection to the dial server to obtain a telephone number (see Fig. 2, col. 5, lines 37-40, 46-48, *translates calling network*

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address to a customer address), forwarding a telephone number from the a centrally located dial server to a gateway (see Fig. 1, gateway #14, lines 55-56, *dialing digits is sent to gateway*) that has a connection to a network (see Fig. 1, MGCP connection between gateway, #14 and Call Agent #24, or PSTN, see Fig. 1, #12), wherein the audio connection between the telephone and the centrally located dial server is formed across the gateway (see col. 4, lines 59-61, *call agent receives request passed on from the gateway*), and passing the telephone number from the local gateway to a call agent (see col. 4, lines 59-63).

Turner does not expressly disclose wherein the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises Dual-Tone Multifrequency (DTMF).

Brunson discloses an audio connection between a telephone (see Fig. 1, #110, *an analog telephone*) and a centrally located dial server (see Fig. 1, 100, *a unified communications server*), wherein the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises Dual-Tone Multifrequency (DTMF) (see col. 2, line 66 – col. 3, line 11 and col. 3, lines 21-30).

It would have been obvious to one of ordinary skill in the art, at the time invention was made, to employ the Unified Communications Automated Personal Name Addressing as taught by Brunson into Turner to arrive the claimed invention as specified in claim 1.

The suggestion/motivation for doing so would have been to provide an automated directory of addresses for use by individual subscribers of the unified communications system (see col. 2, lines 5-8).

Regarding claim 4, Turner discloses that VoIP is used to communicate with the network (see col. 4, lines 51-52, *MGCP*).

Regarding claim 6, Turner discloses that the network is attached to the Internet (see col. 5, lines 1-6, *VPN system 10 supports PSTN and also the Internet*).

Regarding claim 7, Turner discloses that the network is attached to a PSTN (see Fig. 1, #12, *PSTN is attached to network #10*).

Regarding claim 8, Turner discloses that the network is attached both to an Internet and to PSTN (see col. 5, lines 1-6).

Regarding claim 9, Brunson discloses the audio contains DTMF tones (see col. 2, line 66 – col. 3, line 11 and col. 3, lines 21-30).

Regarding claim 10, Brunson discloses that the audio comprises voice, and the Dial Server analyzes the voice to associate it with a telephone number (see col. 2, line 66 – col. 3, line 11 and col. 3, lines 21-30).

Regarding claim 11, Turner discloses an apparatus for providing enhanced dial-up capabilities to a network connection, comprising: a telephone (see Fig. 1, #16, col. 4, lines 26-27); a gateway connected to the telephone (see Fig. 1, #14, col. 4, lines 24-27); and a centrally

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located dial server (see Fig. 1, Directory Server #30) connected to the gateway (see Fig. 1, #14); wherein the dial server is capable of processing information conveyed by an audio connection with the telephone to obtain a telephone number (see col. 5, lines 37-40, 46-48, *translates calling network address to a customer address*), which it is capable of forwarding to the gateway (see Fig. 1, gateway #14, lines 55-56, *dialing digits is sent to gateway*); and a call agent (see Fig. 1, #24, *a call agent*) to which the telephone number is passed from the local gateway (see col. 4, lines 59-61, *call agent receives request passed on from the gateway*).

Turner does not expressly disclose wherein the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises Dual-Tone Multifrequency (DTMF).

Brunson discloses an audio connection between a telephone (see Fig. 1, #110, *an analog telephone*) and a centrally located dial server (see Fig. 1, 100, *a unified communications server*), wherein the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises Dual-Tone Multifrequency (DTMF) (see col. 2, line 66 – col. 3, line 11 and col. 3, lines 21-30).

It would have been obvious to one of ordinary skill in the art, at the time invention was made, to employ the Unified Communications Automated Personal Name Addressing as taught by Brunson into Turner to arrive the claimed invention as specified in claim 1.

The suggestion/motivation for doing so would have been to provide an automated directory of addresses for use by individual subscribers of the unified communications system (see col. 2, lines 5-8).

Regarding claim 12, Turner discloses an apparatus for providing enhanced dial-up capabilities to a network connection according to rejection set forth in claim 11, wherein the audio connection is formed across the gateway (see col. 4, lines 59-61, *call agent receives request passed on from the gateway*).

Regarding claim 14, Turner discloses an apparatus for providing enhanced dial-up capabilities to a network connection according to rejection set forth in claim 11, wherein the network is attached both the Internet and to PSTN (see col. 5, lines 1-6, *VPN system 10 supports PSTN and also the Internet*).

Regarding claim 15, Turner discloses an apparatus for providing enhanced dial-up capabilities to a network connection according to rejection set forth in claim 11, wherein the network is attached both to an IP network and to PSTN (see Fig. 1, IP network with Directory Server #30, PSTN #12).

Regarding claim 16, Brunson discloses the audio contains DTMF tones (see col. 2, line 66 – col. 3, line 11 and col. 3, lines 21-30).

Regarding claim 17, Brunson discloses that the audio comprises voice, and the Dial Server has the ability to analyze the voice to associate it with a telephone number (see col. 2, line 66 – col. 3, line 11 and col. 3, lines 21-30).

Regarding claim 18, Turner discloses an apparatus for providing enhanced dial-up capabilities to a network connection, comprising: a gateway (see Fig. 1, #14) for packetizing audio (see col. 4, lines 29-32, *gateway #14 translates different protocols between user #16 and user #18*); and a centrally located dial server (see Fig. 1, Directory Server #30) connected to the gateway (see Fig. 1, #14); wherein the dial server is capable of processing audio information conveyed by an audio connection to a telephone to obtain a telephone number (see col. 5, lines 37-40, 46-48, *translates calling network address to a customer address*), which the dial server then forwards to the local gateway (see Fig. 1, gateway #14, lines 55-56, *dialing digits is sent to gateway*), and a call agent for forwarding traffic from the local gateway to a network (see col. 4, lines 59-63, *a call agent receives request passed on from the gateway*).

Turner does not expressly disclose wherein the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises Dual-Tone Multifrequency (DTMF).

Brunson discloses an audio connection between a telephone (see Fig. 1, #110, *an analog telephone*) and a centrally located dial server (see Fig. 1, 100, *a unified communications server*), wherein the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises Dual-Tone Multifrequency (DTMF) (see col. 2, line 66 – col. 3, line 11 and col. 3, lines 21-30).

It would have been obvious to one of ordinary skill in the art, at the time invention was made, to employ the Unified Communications Automated Personal Name Addressing as taught by Brunson into Turner to arrive the claimed invention as specified in claim 1.

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The suggestion/motivation for doing so would have been to provide an automated directory of addresses for use by individual subscribers of the unified communications system (see col. 2, lines 5-8).

Response to Amendment

7. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 11 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

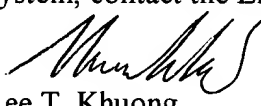
Rosenthal (US 5,392,342) is cited to show An Internet Protocol Telephony Dial Server.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Khuong whose telephone number is 571-272-3157. The examiner can normally be reached on 9AM - 5PM.

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11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lee T. Khuong
Examiner
Art Unit 2665



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600